

**\*E-Filed 5/26/09\***

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSE CARNERO and MARTA C.  
CARNERO,

No. 5:09 CV 1995 RS

Plaintiffs,

v.

**ORDER SETTING  
CONSENT/DECLINATION  
DEADLINE**

LUKE WEAVER, d/b/a  
WORLDWIDE SAVERS.COM HOME  
LOANS; WORLDWIDE SAVERS.COM  
HOME LOANS; NEW CENTURY  
MORTGAGE CORPORATION; FIDELITY  
NATIONAL TITLE COMPANY; HOMEQ  
SERVICE COMPANY; DEUTSCHE BANK  
NATIONAL TRUST COMPANY; and TD  
SERVICE COMPANY,

Defendants.

TO ALL PARTIES AND COUNSEL OF RECORD:

Defendants Barclays Capital Real Estate Inc., d/b/a HomeQ Servicing; and Deutsche Bank National Trust Company as Trustee Under Pooling and Servicing Agreement Dated as of February 1, 2007 Securitized Asset Back Receivables LLC Trust 2007-NC2 Mortgage Pass-Through Certificates, Series 2007-NC2, have filed a motion to dismiss, docket [5], in the captioned matter that is noticed for hearing on July 1, 2009 at 9:30 a.m.

1 Plaintiffs Jose Carnero and Marta C. Carnero, who are *pro se*, have also filed a matter  
2 entitled "Answers to Defendants' Notice of Removal[;] Motion to Remand and Request to Dismiss  
3 Notice of Removal of Action Based Upon Federal Question 28 U.S.C. [§§] 1441(a)(b), 1446 & 1331  
4 for Santa Clara Superior Court Case No.: 109CV13726 (Hon. William J. Elfving)[;] Demand for  
5 Default Judgment," docket [8]. Plaintiffs have not noticed their motion for hearing.

6 It is hereby ordered that plaintiffs' motion shall be heard at the same time as defendants'  
7 motion to dismiss, on July 1, 2009 at 9:30 a.m.

8 All parties are directed to file their consents or declinations to magistrate jurisdiction no later  
9 than **June 5, 2009**.

10  
11  
12 IT IS SO ORDERED.

13  
14 Dated: 5/26/09



RICHARD SEEBORG  
UNITED STATES MAGISTRATE JUDGE

1 **THIS IS TO CERTIFY THAT A COPY OF THIS ORDER WAS ELECTRONICALLY**  
2 **PROVIDED TO:**

3 Eric D. Houser ehouser@houser-law.com

4 Joshua Howard Abel jabel@houser-law.com

5 AND A HARD COPY WAS PROVIDED VIA UNITED STATES MAIL TO:

6 Jose R. & Marta C. Carnero  
7 1558 Minnesota Avenue 1/2  
8 San Jose, CA 95125-4445  
9 408-269-2954

10 Dated: 5/26/09

11  
12 /s/ Chambers Staff  
13 Chambers of Magistrate Judge Richard Seeborg  
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